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10/554189

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 51107	FOR FURTHER ACTION		See item 4 below
International application No. PCT/IL2004/000341	International filing date (<i>day/month/year</i>) 21 April 2004 (21.04.2004)	Priority date (<i>day/month/year</i>) 24 April 2003 (24.04.2003)]	
International Patent Classification (IPC) or national classification and IPC 7 A61F 7/00			
Applicant SHELDAN MEDICAL DEVICE LTD.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

		Date of issuance of this report 28 October 2005 (28.10.2005)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Simin Baharlou	
Facsimile No. +41 22 740 14 35	Telephone No. +41 22 338 71 30	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
SANFORD T. COLB
SANFORD T. COLB & Co.
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REHOVOT, ISRAEL 76122

RECEIVED
17 SEP 2004

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year)	15 SEP 2004
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FOR FURTHER ACTION

See paragraph 2 below

Applicant's or agent's file reference

51107

International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/IL04/00341	21 April 2004 (21.04.2004)	24 April 2003 (24.04.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): A61F 7/06 and US Cl.: 607/104-112

Applicant

SHELDAN MEDICAL DEVICE LTD.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an International Preliminary Examining Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US
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Authorized officer
Roy Gibson
Telephone No. 703-308-3520

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/IL04/00341

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 in written format
 in computer readable form
 - c. time of filing/furnishing
 contained in international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IL04/00341

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N) Claims 1-16 YES
 Claims NONE NO

Inventive step (IS) Claims 1-16 YES
 Claims NONE NO

Industrial applicability (IA) Claims 1-16 YES
 Claims NONE NO

2. Citations and explanations:

Claims 1-16 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest an apparatus and its method of use for warming a catheter comprising in part the combination of the following:

a non-disposable pump drive; and
a disposable pump, removably couplable to the pump drive, comprising an interior and exterior volume between which liquid is transferred uni-directionally on operation of the pump drive, and a ventilation unit configured to allow gas passage between the pump and atmospheric surroundings of the pump while preventing passage of the liquid therebetween;
a heating unit comprising a non-disposable section comprising a heating element and a temperature sensor; and
a disposable heated section, removably couplable to the non-disposable section, comprising an inlet and outlet orifice; and disposable tubing coupling the disposable pump.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/IL04/00341

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61F 7/00
US CL : 607/104-112

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
U.S. : 607/104-112

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
none

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
none

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6,497,721 B2 (GINSBURG et al) 24 December 2002, see entire document	1-16
A	US 6,146,411 A (NODA et al) 14 November 2000, see entire document	1-16
A	US 6,019,783 A (PHILIPS et al) 01 February 2000, see entire document	1-16
A	US 5,733,319 A (NEILSON et al) 31 March 1998, see entire document	1-16
A	US 5,988,994 A (BERCHOWITZ) 23 November 1999, see entire document	1-16

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:	"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier application or patent published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&"	document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means		
"P" document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search

01 September 2004 (01.09.2004)

Date of mailing of the international search report

15 SEP 2004

Name and mailing address of the ISA/US

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